



ANKENY CITY COUNCIL

Regular Meeting

Monday, June 17, 2024

5:30 PM

Ankeny Kirkendall Public Library - City Council Chambers

1250 SW District Drive, Ankeny, Iowa

Mark Holm, Mayor

Bobbi Bentz, Mayor Pro-Tem

Council Members: Jeff Perry, Joe Ruddy, Todd Shafer, Kelly Stearns

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Anyone seeking assistance in communicating with the City should contact Relay Iowa at 1-800-735-2942 (TDY), or 1-800-735-2943 (Voice).

ELECTRONIC MEETING INFORMATION

<https://zoom.us/j/97312992966?pwd=OEFocWZGS0NYUmtnVHNxcWZFak9Pd09>

Meeting ID: 973 1299 2966

Passcode: 1234

Dial in: +1 312 626 6799; Meeting ID: 973 1299 2966; Passcode: 1234

PROCEDURAL ACTIONS:

CALL TO ORDER:	Mark Holm, Mayor
ROLL CALL:	Michelle Yuska, City Clerk
PLEDGE OF ALLEGIANCE:	Mark Holm, Mayor

CEREMONY: none

A. PUBLIC FORUM:

1. Special Presentation: Citizen Survey Results – Amy Baker

B. APPROVAL OF AGENDA:

1. Approval of the June 17, 2024 Agenda

Action# B1-1. Consider motion to approve and accept the June 17, 2024 agenda, with or without amendment.

C. PUBLIC HEARING(S):

1. PH 2024-39 Proposed Amended Development Agreement between the City of Ankeny and MCF Operating, LLC.

Action# C1-1. Consider motion to close Public Hearing 2024-39.

D. REPORTS OF ADVISORY BOARDS AND COMMISSION: none

E. APPROVAL OF CONSENT AGENDA:

• **Minutes**

- CA - 1** Approval of official council actions of the regular meeting of June 3, 2024, as published, subject to correction, as recommended by the City Clerk.
- CA - 2** Receive and file minutes of the Plan and Zoning Commission meeting of May 21, 2024.
- CA - 3** Receive and file minutes of the Library Board of Trustee meeting of April 18, 2024.
- CA - 4** Receive and file minutes of the Civil Service Commission meeting of May 13, 2024.

• **Licenses and Permits**

- CA - 5** Consider motion to approve the issuance of fireworks permit within the City of Ankeny to J & M Displays.
- CA - 6** Consider motion to approve the issuance of Cigarette/Tobacco/Nicotine/Vapor Permits for July 1, 2024 - June 30, 2025.
- CA - 7** Consider motion to approve the issuance of liquor licenses and beer/wine permits in the City of Ankeny.

• **Finance/Budget**

- CA - 8** Consider motion to receive and file Financial Reports for May 2024.
- CA - 9** Consider motion to receive and file Building Permit Report for May 2024.
- CA - 10** Consider motion to receive and file Utility Billing Report for May 2024.
- CA - 11** Consider motion to approve Payment #3 in the amount of \$36,048.03 to Absolute Concrete Construction, for construction services on the NW Northlawn Area Utility Improvements - Phase 3 project.
- CA - 12** Consider motion to approve Payment #7 in the amount of \$525,945.00 to Absolute Concrete Construction, Inc. for construction services on the Oralabor Gateway

Trail - SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements project.

- CA - 13** Consider motion to approve Payment #7 in the amount of \$1,224.50 to Bolton & Menk, Inc., for engineering services on the SE Corporate Woods Drive & Crosswinds Drive Traffic Signalization project.
- CA - 14** Consider motion to approve Payment #3 in the amount of \$430,882.00 to CB&I Storage Tank Solutions LLC, for construction services on the NW Irvinedale Drive - Elevated Water Storage Tank project.
- CA - 15** Consider motion to approve Payment #14 in the amount of \$7,900.50 to Civil Design Advantage for engineering services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.
- CA - 16** Consider motion to approve Payment #3 in the amount of \$61,879.44 to Civil Design Advantage, LLC, for engineering services on the Westlawn Place Area Utility Improvements - Conceptual Design project.
- CA - 17** Consider motion to approve Payment #11 in the amount of \$593,408.31 to Elder Corporation, for construction services on the NE Delaware Avenue Reconstruction - NE 5th Street to Fourmile Creek project.
- CA - 18** Consider motion to approve Payment #1 in the amount of \$51,003.36 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 2 project.
- CA - 19** Consider motion to approve Payment #1 in the amount of \$37,106.62 to Gus Construction, for construction services on the NE 62nd St. Box Culvert project.
- CA - 20** Consider motion to approve Payment #2 in the amount of \$340,198.80 to HPC, LLC for construction services associated with the Ankeny Fire Station No. 4 project.
- CA - 21** Consider motion to approve Payment #1 in the amount of \$50,994.00 to HR Green, Inc., for engineering services on the NW Irvinedale Drive & NW 18th Street Intersection Improvements project.
- CA - 22** Consider motion to approve Payment #2 in the amount of \$41,363.95 to InRoads, LLC, for construction services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.
- CA - 23** Consider motion to approve Payment #2 in the amount of \$19,154.85 to Iowa Civil Contracting, Inc., for construction services on the 2024 PCC Pavement Preservation Program - Crack and Jointing Filling project.
- CA - 24** Consider motion to approve Payment #2 in the amount of \$129,798.41 to Jasper Construction Services, Inc., for construction services on the SE Delaware Avenue and SE 54th Street Traffic Signal project.
- CA - 25** Consider motion to approve Payment #14 in the amount of \$31,183.86 to JEO Consulting Group, Inc., for engineering services on the Transportation Master Plan.
- CA - 26** Consider motion to approve Payment #9 in the amount of \$9,174.33 to Kirkham Michael & Associates, Inc., for engineering services on the NE 62nd St Box Culvert Design project.
- CA - 27** Consider motion to approve Payment #1 in the amount of \$42,886.80 to Manatt's Inc., for construction services on the SW Magazine Road & SW State Street Improvements - West Leg project.
- CA - 28** Consider motion to approve Payment #3 in the amount of \$27,986.25 to McClure Engineering Company, for construction engineering services on the SW Des

Moines Street Utility Improvements project.

- CA - 29** Consider motion to approve Payment #2 in the amount of \$9,352.00 to Nilles Associates for engineering services on the Midway Park Phase 2 Improvements project.
- CA - 30** Consider motion to approve Payment #3 in the amount of \$7,430.00 to Nilles Associates, Inc., for engineering services on the SW Magazine Road & SW State Street Improvements - West Leg project.
- CA - 31** Consider motion to approve Payment #9 in the amount of \$155,726.85 to On Track Construction, LLC for construction services on the NW Northlawn Area Utility Improvements - Phase 2.
- CA - 32** Consider motion to approve Payment #2 in the amount of \$290,820.43 to Rognes Corporation, for construction services on the North Four Mile Creek Trunk Sewer Phase 2 project.
- CA - 33** Consider motion to approve Payment #2 in the amount of \$89,894.04 to Rognes Corporation, for construction services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 34** Consider motion to approve Payment #5 in the amount of \$39,963.83 to Romtec Companies for construction services on the Rally Complex Restroom project.
- CA - 35** Consider motion to approve Payment #14 in the amount of \$6,994.13 to SVPA Architects Inc. for construction phase services associated with the Ankeny Fire Station No. 4 project.
- CA - 36** Consider motion to approve Payment #2 in the amount of \$156,979.42 to TK Concrete, Inc., for construction services on the 2024 PCC Street Patching project.
- CA - 37** Consider motion to approve the June 17, 2024 Accounts Payable.
- CA - 38** Consider motion to adopt **RESOLUTION** authorizing the purchase of a L50 Wheel Loader from Housby Heavy Equipment for the Parks & Recreation Department.

- **Personnel Items**

- CA - 39** Consider motion to accept the Civil Service Commission certified lists for appointment to: Combination Inspector I, Equipment Operator, Park Maintenance Assistant, Fire Battalion Chief, Utilities Operator III, and Lead Equipment Operator, subject to passing any further departmental requirements.

- **Community Development Items**

- CA - 40** Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to rezone certain property owned by Hope K. Farms, LLC located south of NW 54th Street and east of NW Irvinedale Drive. (date of hrg: 7/1/24 @ 5:30 p.m.)
- CA - 41** Consider motion to adopt **RESOLUTION** accepting a Public Water Main Easement, located on PT. SE 1/4 - SE 1/4, Section 7-79-23; and associated with the development of 2701 SE 90th Street, I-80 Commerce Center Plat 1, Lot 1 Site Plan.
- CA - 42** Consider motion to adopt **RESOLUTION** accepting a Public Sanitary Sewer Easement located on PT. SE 1/4 - SE 1/4, Section 7-79-23; and associated with the development of 2701 SE 90th Street, I-80 Commerce Center Plat 1, Lot 1 Site Plan.

- **Engineering Items**

- CA - 43** Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign a development agreement with 36 Spectrum, L.L.C., concerning the construction of a future traffic signal at the intersection of NE Spectrum Drive and NE 38th Street in the City of Ankeny, Iowa.

- **Capital Improvement Projects**

- CA - 44** **S. Ankeny Blvd. Transmission Main Project**: Consider motion to approve: a) Final Change Order #1 decreasing the final contract amount by \$13,876.06 b) Certificate of Completion; c) **RESOLUTION** accepting the public improvements with Granite Excavating in the amount of \$2,635,648.94; and d) Final Payment #8 in the amount of \$77,590.49 / Release of Retainage in the amount of \$131,782.45.
- CA - 45** **Midway Park Phase 2 Improvements**: Consider motion to approve: a) Final Change Order #1 decreasing the contract amount by \$1,290.00; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Concrete Connections, LLC in the amount of \$93,710.00; and d) Final Payment #3 in the amount of \$18,786.25; and Retainage Payment in the amount of \$4,685.50.
- CA - 46** **Creekside Park Improvements**: Consider motion to approve: a) Final Change Order #1 decreasing the contract amount by \$4,602.75; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Howrey Construction, Inc. in the amount of \$270,447.75; and d) Final Payment #3 in the amount of \$11,287.01; and Retainage Payment in the amount of \$13,522.39.
- CA - 47** Consider motion to adopt **RESOLUTION** setting a public hearing for the approval of documents for the conveyance of proposed Permanent Electric Easement for MidAmerican Energy Company (MEC) across a portion of City-owned property at the Rally Complex location at 725 SW Prairie Trail Parkway. (date of hrg: 7/15/2024 @ 5:30 p.m.)

- **Administrative Items**

- CA - 48** Consider a motion to adopt a **RESOLUTION** setting a public hearing on a development agreement between the City of Ankeny and Community State Bank (date of hrg: 7/1/2024 @ 5:30 p.m.)
- CA - 49** Consider motion to approve the renewal of the workers' compensation policy with Iowa Municipalities Workers' Compensation Association (IMWCA) for the policy year July 1, 2024 through June 30, 2025, with a premium amount of \$433,344.00.
- CA - 50** Consider motion to approve the renewal of the crime and cyber policy with Travelers Casualty and Surety Company for the policy year July 16, 2024 through July 15, 2025, with a premium amount of \$63,250.00.
- CA - 51** Consider motion to adopt **RESOLUTION** authorizing benefit changes for the July 1, 2024 - June 30, 2025 plan year.
- CA - 52** Consider motion to adopt **RESOLUTION** authorizing the Partial Termination Certificate of the Development Agreement between the City of Ankeny, Iowa and Threshold Otter Creek, LLC for Lot 1, Spectrum 36 Plat 3.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-52

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-52.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances:**

1. Ord 2169 An Ordinance clarifying the Code of Ordinances of the City of Ankeny, Iowa, 2008, pertaining to the chapter reference for Mobile Food Vendors.

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2169, sending it on its final passage and publication as required by law.

2. Ord 2172 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone property owned by Hope K Farms LLC, R-1 One Family Residential District to Planned Unit Development, PUD (Rezoning Area A).

Action# H2-1. Consider motion to accept second consideration of ORDINANCE 2172.

3. Ord 2173 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone property owned by Hope K Farms LLC, R-1 One Family Residential District to R-3, Multiple-Family Residence District, restricted to 10 units per acre (Rezoning Area B).

Action# H3-1. Consider motion to accept second consideration of ORDINANCE 2173.

4. Ord 2174 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone property owned by Hope K Farms LLC, R-1 One Family Residential District to R-3, Multiple-Family Residence District, restricted to 20 units per acre (Rezoning Area C).

Action# H4-1. Consider motion to accept second consideration of ORDINANCE 2174.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Amended Development Agreement between the City of Ankeny and MCF Operating, LLC. (PH 2024-39)

Action# J1-1. Consider motion to adopt RESOLUTION approving an amended Development Agreement between the City of Ankeny and MCF Operating, LLC.

K. ADMINISTRATIVE BUSINESS:

- **Report of the City Staff:**

City Manager
City Attorney

- **Report of the Governing Body:**

Mayor

City Council Members:
Council Member Bentz
Council Member Perry
Council Member Ruddy
Council Member Shafer
Council Member Stearns

- **Future Council Agenda Items:**

- ***Public Hearing - Watercrest Park Expansion - 7/1/24 @ 5:30 p.m.***
- ***Public Hearing - Hope Crest II Rezoning - 7/1/24 @ 5:30 p.m.***
- ***Public Hearing - Development Agreement - Community State Bank - 7/1/24 @ 5:30 p.m.***
- ***Public Hearing - Permanent Electric Easement - Mid American Energy - 7/15/24 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment

Council Action Planning Session will commence following adjournment of regular meeting.